

News from U.S. Rep. John Spratt (D-SC)

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Thursday, June 03, 2004 – For Immediate Release

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Spratt Offers Alternative in Nuclear Waste Debate

WASHINGTON – U.S. Rep. John Spratt (D-SC) has offered an alternative in the debate in Congress over whether radioactive waste should be left indefinitely in buried tanks at three nuclear weapons sites, including Savannah River Site.

At the request of the U.S. Department of Energy (DOE), U.S. Sen. Lindsey O. Graham (R-SC) inserted language in the Senate's version of the defense authorization bill. His provision would allow the Department to reclassify "high-level" radioactive waste as "low-level," once most of its volume is removed from storage tanks and the remnants are mixed with cement. The new "low-level" waste could then by law remain at Savannah River, rather than being shipped to Nevada for permanent burial.

The defense bill is on the Senate floor today, and Graham's language is being contested by U.S. Sens. Ernest F. Hollings (D-SC) and Maria Cantwell (D-WA), who are seeking to remove the reclassification language from the bill.

Spratt's alternative, which he included in the House version of the defense bill, would call on the National Academy of Sciences (NAS) to help settle the matter.

The Nuclear Waste Policy Act (NWPA) defines high-level radioactive waste as "the highly radioactive material resulting from the reprocessing of spent nuclear fuel." Under the NWPA, all high-level waste must be processed and disposed of in a geologic repository, such as Yucca Mountain in Nevada. This waste is stored in large steel tanks, primarily at Hanford in Washington, Idaho National Engineering and Environmental Laboratory (INEEL), and Savannah River Site in South Carolina.

According to DOE, it would be too difficult and too costly to remove all waste from each tank. Instead, DOE wants to close the tanks by pouring cement into each tank to "grout" the residual waste in place and prevent seepage.

In 1999, DOE issued an order (435.1) to speed the closure of tanks at Hanford, INEEL, and Savannah River by reclassifying some of the wastes as "incidental to reprocessing." DOE argues that if it leaves between 1% and 5% of waste in

each tank by volume, then when it adds cement to the tank, the average radioactivity per volume meets the definition of low level waste, which can be disposed of on-site rather than being shipped to Yucca Mountain.

The Natural Resources Defense Council (NRDC) sued DOE over this plan and won, claiming that DOE had no authority under the Nuclear Waste Policy Act to reclassify waste. NRDC further claimed that the two tanks DOE has already closed contained more residual waste by volume than DOE had claimed, and that this waste contained disproportionate radioactivity. All tank closure activities have since been suspended.

“Spent nuclear fuel is dangerous material,” said Spratt. “Savannah River stores 37 million gallons in 49 tanks, which sit atop the Tuscaloosa aquifer, the biggest drinking water supply in the Southeast. We cannot afford any mistakes in the handling of this waste.”

Spratt said after losing its case in court, DOE “tried to turn the court’s flank in Congress.” In its 2005 budget, Spratt said DOE included \$350 million for accelerated clean-up of defense waste sites, \$188.6 million of which would go to Savannah River Site. “But DOE put a ‘fence’ around the money. They said South Carolina, Washington, Idaho, and other affected states could only use the \$350 million to clean up this waste if we went along with DOE’s proposal to reclassify the waste,” he said.

“No one in Congress has the expertise or data to determine whether DOE’s reclassification is safe or whether NRDC is right,” Spratt said. “In the end, Congress may have to act legislatively to reclassify the waste. But before Congress takes on that task, we should ask the National Academy of Sciences to assemble the best scientists in the country to give us an expert and impartial analysis. We need to determine what is safe and sound before we take the irreversible step of grouting the waste in the tanks.”

Spratt said that does not mean that environmental work must halt at Savannah River Site or even slow down. “The House defense bill releases \$300 million for waste clean-up with none of DOE’s strings attached, and in conference, we will try to increase that amount to the full \$350 million.”

Spratt said that his idea of engaging the National Academy of Sciences does not have to exclude South Carolina’s Department of Health and Environmental Control (DHEC). DHEC can retain a regulatory role, but no decision on waste disposal would be made until the National Academy of Sciences had made its recommendations. The NAS study would probably take a year to complete.

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